

## REMARKS/ARGUMENTS

### Allowable Subject Matter

Applicants appreciate the Examiner's efforts to acknowledge allowable subject matter in the Office Action, and believe that the current amendments have addressed all of the outstanding rejections. The Office Action indicates that claims 265, 273-275, 282, 286, 288-378 and 603-605 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office Action. As well, the Office Action indicates that claims 244-249 and 251-287 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As set forth herein below, it is believed that Applicants have now amended the claims to overcome the claim objections and the claim rejections under both 112 and 102(b). Thus, the above claims, together with rejected claims 243 and 250 (now amended) should be allowable.

### Claim Objections

Claims 604 and 605 are objected to because 605 is indicated to be a substantial duplicate of claim 603, and because claim 604 recites the same subject matter as in claim 288. Applicants have now amended claim 605 to depend from claim 604. Claim 604, which depends from claim 344, is amended to clarify that it is the pressed ceramic material that has the thickness as therein defined. This is not believed to be a direct duplication of claim 288. The limitation of pressing the dielectric layer is introduced in later claims including claim 344. Thus, while the thickness definition found in claim 604 is largely duplicative of the language added to claim 288, claim 604 clarifies that this thickness applies to the "pressed ceramic material". For this reasons it is respectfully submitted that the claims 604 and 605, in amended form, should no longer be objected to as being duplicative.

### Claim Rejections under 35 U.S.C. §112, second paragraph

The Office Action rejects claims 288 and 604, together with claims dependent thereon (289-378 and 603-605) as the term "S" is not defined in the claim. Applicants have now amended claims 288 and 604 to define S as the dielectric strength of the dielectric layer, as supported, for example, at page 19, line 19.

The Office Action rejects claims 265, 273-275, 282, 286, 310, 318-320, 327 and 331 because the recitation of "a threshold voltage adjustment layer" is previously recited in the respective preceding claim, thus rendering the claim indefinite. Applicants have now amended the above claims, with the exception of claims 273, 274, 318 and 319, to refer to "the" threshold

voltage adjustment layer. Claim 274 is cancelled as being a duplicate claim, in view of the amendments made to claim 243. However, claim 273, 318 and 319 do not currently refer back to a claim that has previously mentioned “a threshold voltage adjustment layer”, and thus the current language is believed to be correct.

In view of these claim amendments, favourable reconsideration and withdrawal of the rejections under 112 are respectfully requested.

#### Claim Rejections under 35 U.S.C. §102

The Office Action rejects claims 243 and 250 under 35 U.S.C. §102(b) as being anticipated by Tadokoro (JP 02-199793). However, since the Office Action also indicates that claim 244 would be allowable if amended to include the limitations of the base claim, Applicants have now amended claim 243 to incorporate the claim limitation previously found in claim 244. Claim 250 is now dependent on amended claim 243. It is therefore respectfully submitted that both of the claims 243 and 250 should now be in an allowable form, consistent with the Office Action.

Conclusion

In view of the foregoing, it is submitted that this case is in condition for allowance, and passage to issuance is respectfully requested.

If there are any outstanding issues related to patentability, the courtesy of a telephone interview is requested, and the Examiner is invited to call to arrange a mutually convenient time.

It is believed that no fees are required in connection with this submission. If this is incorrect, please deduct any required fee from Deposit Account No. 07-1969.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sally A. Sullivan", written over the typed name.

Sally A. Sullivan

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